

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ACE AMERICAN INSURANCE COMPANY
a/s/o SIDNEY FRIEDMAN

2008 Civ. 4315 (BSJ) (AJP)

Plaintiff,

- against -

JEFFSTAR MARINE SERVICES and JEFFSTAR,
INC.

**NOTICE OF PLAINTIFF'S
SUBMISSION OF
EVIDENCE IN SUPPORT
OF INQUEST FOR
DAMAGES**

Defendants.

-----X

Pursuant to the Court's Order dated July 7, 2008, Plaintiff, Ace American Insurance Company, submits its evidence of damages in support of the Inquest Hearing for the above captioned civil action. Plaintiff attaches the Affidavit of Judy Goebel in Support of Inquest for Damages with exhibits attached hereto. Plaintiff requests judgment in the amount of \$52,223.47, as shown by the annexed exhibits, which is justly due and owing, no part of which has been paid, although duly demanded.

Dated: New York, New York
July 14, 2008
230-30

CASEY & BARNETT, LLC
Attorneys for ACE

By:


Gregory G. Barnett (GGB-3751)
317 Madison Avenue, 21st Floor
New York, NY 10017
(212) 286-0225

X

ACE AMERICAN INSURANCE COMPANY
a/s/o SIDNEY FRIEDMAN

2008 Civ. 3415 (BSJ) (AJP)

Plaintiff,

- against -

JEFFSTAR MARINE SERVICES and JEFFSTAR,
INC.

**AFFIDAVIT OF JUDY
GOEBEL IN SUPPORT OF
INQUEST FOR DAMAGES**

Defendants.

X

STATE OF NEW YORK)
) ss:
COUNTY OF ~~MASSAU~~)

JUDY GOEBEL, being duly sworn, deposes and says:

1. I am a recovery specialist for Recovery Services International, Inc. who is handling the recovery of this subrogated claim for Ace American Insurance Company. As such, I am familiar with the facts and circumstances in the above titled action.
2. I make this affidavit pursuant to United States Magistrate Judge Andrew Peck's Order for Plaintiff's to provide evidence of damages sustained in this action.
3. This is an action to recover damages sustained to Mr. Sidney Friedman's vessel as a result of improper winterization and improper engine repair.
4. Exhibit 1 is a survey report by David Young. Mr. Young indicates that the costs of repairs of \$50,339.48 were fair and reasonable. The itemized repair orders and invoices are also attached.
5. Exhibit 2 is the invoice of \$1,524.89 paid for the services of Mr. Young.

6. Exhibit 3 represents the Ace itemization of the loss. After depreciation of parts, Ace agreed on a covered loss of \$46,065.45 with a deductible of \$5,500.

7. Exhibit 4 represents the payment details of Ace Insurance Company. Ace issued payment to Mr. Friedman of \$40,565.45 and \$1,524.89 for a total of \$42,090.34.

8. Exhibit 5 represents page 10 of the Ace Insurance Policy with the assured. Under "Our Right to Recover" Ace has the right to pursue this claim in subrogation and to pursue the deductible on behalf of the assured.

9. The total amount Ace claims is owed by defendants is \$47,590.34 plus interest and costs.

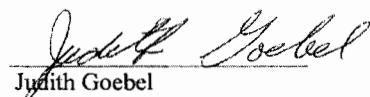
10. The claim occurred in July 2007. Ace requests interest at 9% or \$4,283.13.

11. Ace also requests costs incurred of the filing fee of \$350.00 and the cost of service.

12. Ace Insurance requests Final Judgment be made in the amount of \$52,223.47.

WHEREFORE, Plaintiff requests judgment in the sum amount of \$52,223.47, as shown by the annexed Exhibits, which is justly due and owing, and no part of which has been paid, although duly demanded.

Dated : 7/14/08


Judith Goebel

Sworn to me before this 14th
Day of July, 2008

LINDA M WEISS
Notary Public, State of New York
No. 4971661
Qualified in Nassau County
Commission Expires September 10, 2010


Linda M. Weiss

Exhibit 1

Dolan & Young Marine, Inc.
David G. Young
Marine Surveyor
P.O. Box 568
Jamesport, NY 11947
Tel No. (631) 722-3160 Fax No. (631) 722-5760

SURVEY FOR:	ACE Rec Marine Claims P.O. Box 5468 Concord, NC 28027	ATTN:	Mike Burns
		PHONE NUMBER:	866-379-4991
		FAX NUMBER:	866-379-4861
INSURED:	Sidney Friedman 4217 Austin Boulevard Island Park, NY 11558	BUSINESS NO:	516-889-5800
		CELL NO:	516-817-4407
DATE OF LOSS:	7-13-07	POLICY NO:	YKR Y07404967
DATE SURVEYOR NOTIFIED:	8-31-07	CLAIM NO:	796 S 171402-0
DATE REPORT COMPLETED:	11-28-07		
DATE OF INSPECTIONS:	9-7-07		
LOCATION OF LOSS:	100 Jefferson Street, Freeport, NY 11520		

NATURE OF LOSS AS REPORTED BY INSURED: See insured's letter of 8-28-07

NATURE OF LOSS AS FOUND: Starboard engine suffered severe overheat causing catastrophic damage to engine after marina damaged starboard engine by improper winterization and improper repairs

YEAR:	1993	MANUFACTURER:	Ricker
TYPE:	48' Convertible sport fish	CONSTRUCTION:	FRP
HULL ID NO.:	RIX48011A393	HP:	2- ~ 550 each (1,100)
LENGTH:	51'10" OA	FUEL:	Diesel
POWER:	Inboard	BEAM:	16'2"
DRAFT:	4'3"	WEIGHT:	39,000#
DOC NO./ REG. NO.	Not Found	NAME:	"Relentless"
ENGINE SERIAL NO:	(PORT) Not recorded	(STARBOARD)	6VF197894
ENGINE MODEL NO:	Series- DDA 692TI (Not Recorded)	(STARBOARD)	DDA 692 TI -8062 7403
ENGINE HOURS:	(PORT) 1458 on gauge	(STARBOARD)	1464 on gauge
GENERATOR:	Northern Lights 1896.5 Hrs		

VESSEL'S PRESENT LOCATION: Lawrence Yacht Club, Lawrence, NY
VESSEL'S REPAIR LOCATION: At dock by Atlantic Detroit Diesel Allison, 3025 Veterans Memorial Highway, Ronkonkoma, NY 11779

CONTACT: Pete Padovana **PHONE NUMBER:** 631-981-5800

ASSUMED DESCRIPTION OF CONDITION BEFORE LOSS: Good to fair

APPROXIMATE ACTUAL CASH VALUE: No book values found – For Sale Listings Range 179,000 to 250,000

RE: Friedman
CLAIM NO.: 796 S 171402-0

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SCOPE OF SURVEY:

At the request of Mike Burns of ACE Rec. Marine Claims, the undersigned surveyed the vessel described on the cover sheet of this report. The purpose of this survey was to determine the cause, nature and extent of damages.

Inspection of the vessel was conducted while it was afloat at the Lawrence Yacht Club. I was permitted access to the vessel by Mr. Dean Friedman who remained in attendance throughout the damage inspection. At the time of the inspection the repairs to the claimed damages had been completed. However Mr. Friedman had retained the majority of the parts that had been affected by the claimed loss incident. These were located at his home where the undersigned traveled for the purpose of inspection and retention on the date of the inspection.

Identification was made to the vessel. The hull ID numbers were recorded and appear on the cover sheet of this report. They agree with the hull ID numbers recorded on the policy's declarations page provided with the damage survey assignment. (See digital photos 1 through 4)

FOUND ON INSPECTION:

Inspection of the vessel focused primarily on the claimed damages relating to the recent claimed loss, its cause and extent. No other damages relating to the claimed loss, other than those mentioned below, were found on inspection or investigation.

FOUND:

- 1) Upon receiving the damage survey assignment the undersigned contacted Mr. Dean Friedman (the insured's son acting as his representative) via telephone on 9-5-07 and questioned him about the circumstances of the claimed loss incident. He reiterated the circumstances of his claim as written in the Mr. Sydney Friedman letter of 8-28-07 that was provided by you with the damage survey

RE: Friedman
CLAIM NO.: 796 S 171402-0

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assignment. He told me he had retained the services of Mr. Donald Rave (attorney) for the purpose of recovering any losses his father has suffered pertaining to the claimed loss on the vessel. I made arrangements with him to meet on 9-7-07 to inspect the vessel, the removed parts and collect the necessary documents relating to his claim.

- 2) On 9-7-07 the undersigned initially met with Mr. Dean Friedman at his place of business OP Sales, 4217 Austin Boulevard, Island Park, NY. At this time he signed an authorization for testing. A copy of this authorization is also attached to this report. Mr. Friedman also provided the undersigned with a photo disc of photos he had taken of the damages to the vessel and a folder containing the following documents:

- 6 Pages Atlantic DDA repair order customer summary
- 6 Pages Atlantic DDA Invoice
- 5 Pages Sydney Friedman letter 8-28-07
- 1 Page Island Canvas Invoice dated 7-07
- 2 Pages Jeffstar Marine Services estimate 1-5-07 #2085
- 1 Page paid receipt for \$576.00 and \$4,000.00
- 1 Page Jeffstar Marine Services estimate 1-16-07 #2073
- 1 Page Ricker telephone numbers
- 5 Pages Jeffstar Marine Services estimate 1-16-07 #2073
- 2 Pages Jeffstar Marine Services estimate 1-5-07 #2085
- 1 Page Diesel Marine Service Invoice #3327
- 1 Page copy of check #1068 to Atlantic DDA dated 7-23-07
- 1 Page P C Industries invoice 31 July 2007
- 1 Page Certified Mail receipt 7-30-07
- 1 Page copy of check #1071 to Atlantic DDA
- 1 Page hand written "Dean" dated 7-14-07
- 1 Page Atlantic DDA RO # 108181

RE: Friedman
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- 2 Pages Atlantic DDA credit card authorization
- 2 Pages Appliance Doctor invoice #13177 & 13072
- 1 Page 14 Item list
- 1 Page Jeffstar estimate # 2143
- 1 Page Jeffstar invoice # 2024
- 1 Page Jeffstar estimate #2068
- 1 Page letter to Jeffstar Dean Friedman
- 1 Page certified mail receipt 7-24-07
- 1 page letter to Dominic Ialici 7-16-07
- 1 Page certified mail receipt 7-16-07
- 1 Page Delaware Turnpike toll receipts
- 1 Page Maryland Transportation toll receipts
- 1 Page New Jersey Turnpike toll receipts
- 8 Pages Photos

Copies of these documents were forwarded to you via US mail.

After reviewing the documents I questioned Mr. Friedman as to why he chose Atlantic Detroit Diesel to perform the repairs. He told me he chose Atlantic because he knew they were a DDA factory dealership and repairer and could guarantee their repairs.

- 3) On 9-7-07 the undersigned then traveled to Mr. Dean Friedman's home at 61 Ulster Avenue, Atlantic Beach, NY 11509 for the purpose of examining the damaged parts removed from the damaged starboard engine of the vessel.
- 4) Mr. Friedman had retained the exhaust manifolds, cylinder heads, exhaust cross over pipe, cylinder liners, inter cooler, and pistons. Inspection of the exhaust manifolds found both the port and starboard manifolds cracked through the cast iron closed cooling side outward toward the exterior outer edges. The crack ran nearly along the entire edge of the manifolds lower corner edges. The cracking

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on both manifolds appeared typical as cracking caused by internal liquid freeze damage. (See digital photos 5 through 8)

- 5) Inspection of the cast iron exhaust manifold cross over pipe found it cracked through the closed cooling side outward toward the exterior edges in the area of the center of the pipe perpendicular to the length of the pipe. This crack also appeared to be caused by the expansion of frozen liquid in the closed cooling jacketed side of the pipe. (See digital photos 9 and 10)
- 6) Inspection of the inter cooler found its normally rectangular shape distorted and bent outward. This inter cooler when in service is normally filled with liquid from the closed coolant system of the engine. The swollen distorted profile of the inter cooler indicates to the undersigned consistency with the findings of damage to the exhaust manifolds. The damage to the inter cooler was also caused as a result of frozen liquid expanding in the closed cooling side. (See digital photo 11)
- 7) Inspection of the cylinder liners and pistons found the interior surfaces of the liners and the exterior wear surfaces of the pistons scored and galled. This finding is typical of damage caused as a result of overheating. (See digital photos 12 through 16)
- 8) Inspection of the cylinder heads found cracks through the cast iron castings in the area of the combustion chambers between the valves in both the port and starboard heads. This finding is typical of damage as caused by overheating. (See digital photos 17 through 21)
- 9) The undersigned initiated a chain of custody and retained 2 cylinder liners, 2 pistons and the inter cooler. A copy of this chain is also attached to this report. The undersigned advised Mr. Friedman to retain the remaining parts that were examined by the undersigned until further notice.
- 10) After examining the removed parts the undersigned traveled to the Lawrence Yacht Club and inspected the vessel on 9-7-07.

RE: Friedman
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11) Inspection of the vessel found it to be in overall good to fair condition.

Inspection found the starboard engine had been recently painted as typical with the parts shown to the undersigned as replaced. Inspection of the starboard engine's closed cooling heat exchanger tank mounted on the front of the engine found a weld repair on the front of the cast aluminum tank running the entire width of the tank at its bottom face surface and upward on its inboard face surface about 10". Mr. Friedman told the undersigned that Jeffstar Marine Services had performed the weld repair prior to returning the vessel to him. This operation is described in the Jeffstar Marine Services estimate #2073 dated 1-16-07 and no charges were made. (See digital photos 22 and 23)

12) No external cracks were found on the starboard engine at the time of the damage survey inspection. Both engines started and idled at the dock without any abnormal indications. (See digital photo 24)

13) On 9-11-07 the undersigned received a call from Don Rave via voice mail to please return the call.

14) On 9-12-07 the undersigned spoke with you via telephone concerning the seemingly high labor charges billed to the insured by Atlantic DDA.

15) On 9-14-07 the undersigned contacted Mr. Don Rave via telephone. I told him my opinion as to the cause of the damages to the insured's vessel. I advised him that at the moment it was my opinion the labor charged by Atlantic was higher than would normally be expected for a repair of this nature. I told him I needed more time to thoroughly examine the invoices and seek outside opinions to the fairness of the invoicing.

16) On 9-17-07 the undersigned contacted Bayside Diesel (a non DDA authorized engine rebuilder with experience in repairing similar engines) via telephone and spoke with George and questioned him as to the amount of labor hours it generally requires to perform a rebuild to a GM 692 series engine. He told me normally the rebuild requires approximately 80 to 100 hours.

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- 17) On 9-18-07 the undersigned contacted Phil at East End Diesel (a non authorized DDA rebuilder with experience in rebuilding similar engines) via telephone and questioned him as to how many hours it should require to rebuild a GM 692 series engine. He told me he generally performs the task between 90 and 120 hours.
- 18) On 10-3-07 the undersigned received via fax copies of a letter to you and Pete Padovana and the complaint filed by Mr. Rave for Mr. Friedman. You were also sent these documents.
- 19) On 10-9-07 the undersigned met with Pete Padovana, the service manager and Sean, the service technician that performed the physical engine repairs on the insured's vessel at Atlantic DDA. At the meeting we mutually reviewed the time sheets for the repairs to the starboard engine in the insured's vessel. Pete explained to the undersigned that the shop's normal charge for straight time is \$132.00 per hour. Overtime charged hours are any hours worked prior to 7:00 AM or after 3:00 PM. The hourly overtime rates are billed at \$198.00 per hour. He explained they are a union shop therefore time is charged for the technicians from when they leave the shop until they return and / or cease working on that particular job ticket. This particular job required two technicians the majority of the repair due to the size and weight of the parts and engine arrangement in the vessel.

We reviewed the time tickets and found that the invoice billing for the starboard engine was 178 hours in straight time and 39.5 hours in overtime totaling 217.5 hours. Of the 217.5 hours there were approximately 84 hours in travel time leaving 133.5 hours for the actual repairs. In that time he explained was labor for cautionary labor such as checking the block for leaks and cracks due to the findings that the engine had frozen at some point in time prior to suffering a severe overheating due to lack of coolant. Sean estimated this time to be approximately 20 hours additional as would be to a normal rebuild. Also

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complications arose causing added labor time because the wrong turbo or manifolds had been sent to the insured by another unrelated vendor as they were unavailable through Atlantic DDA. Pete provided the undersigned with copies of the time sheets for the repairs to the starboard engine. Copies of these time sheets are also attached to this report.

*PM
Normal
5000*

At the time of the meeting the undersigned questioned Pete and Sean on the expected service life of the 692 engine. They told me an "average" (depending on the extent of regular maintenance) service life of that model from their experience is approximately 2,500 hours. Therefore the starboard engine in the vessel prior to the claimed loss incident was at approximately 58% of its approximate service life.

CAUSE OF DAMAGES:

It is the undersigned's opinion that the damages as found to the starboard engine were caused as a result of improper winterization by Jeffstar Marine Services. During the winter freeze period the closed cooling side of the starboard engine froze because the closed cooling side of the engine had not been protected to freezing temperatures by using the correct coolant mixture, causing cracks in the exhaust manifolds, cross over pipe, inter cooler, heat exchanger tank and other unspecified engine components.

Jeffstar Marine Services attempted an improper repair to the engine and heat exchanger by welding the heat exchanger. Jeffstar Marine Services released the vessel to the insured with cracks present in the exhaust manifolds that were causing coolant to be lost from the closed side of the system while in service. The insured unknowing of the coolant leaks ran the vessel under load causing the starboard engine to overheat in turn causing catastrophic damage to the cylinder liners and pistons.

EXTENT OF DAMAGES:

It is the undersigned's opinion that the invoice from Atlantic DDA for the repairs to the starboard engine totaling \$49,629.47 is higher than would normally be

RE: Friedman
CLAIM NO.: 796 S 171402-0

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expected but fair and reasonable in accordance with industry standards due to the information as found in found #2 and #19. Please note that additional expenses for parts incurred by the insured are as follows:

PC Industries (turbo)	1,425.00
Diesel Marine Services (manifolds)	<u>1,260.00</u>
Atlantic DDA	<u>49,629.47</u> 47654.48
Total:	<u>52,314.47</u> 50339.48

Please adjust as per your policy.

Submitted Without Prejudice,

David G. Young AMS

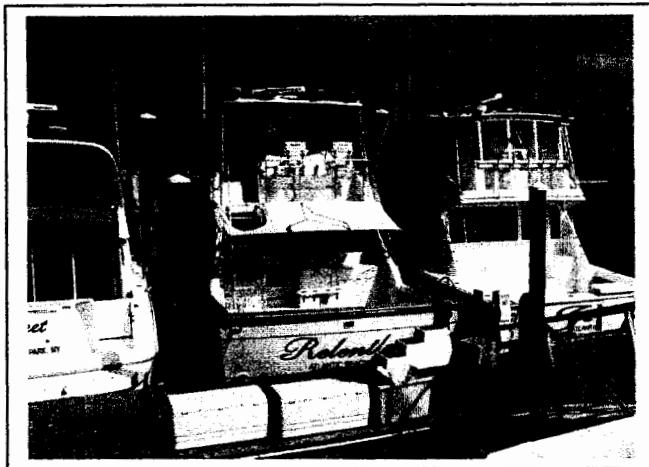
This survey has been prepared and submitted in good faith. It is a description of the condition as then found. The surveyor assumes no responsibility for any defects and shall be held harmless for any condition arising. This survey does not guarantee either expressed or implied the condition of the above-surveyed vessel.

Enclosures:

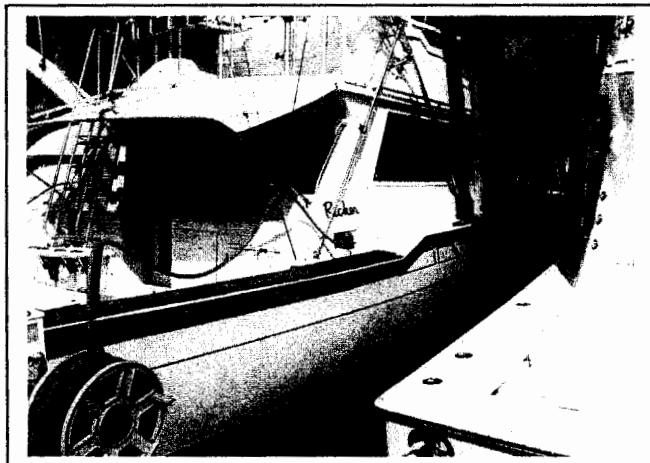
Photo Description	24 Digital Photos
Authorization for Testing	1 Page
Chain of Custody	1 Page
Atlantic DDA Time Sheets	12 Pages
Dolan & Young Invoice	1 Page

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



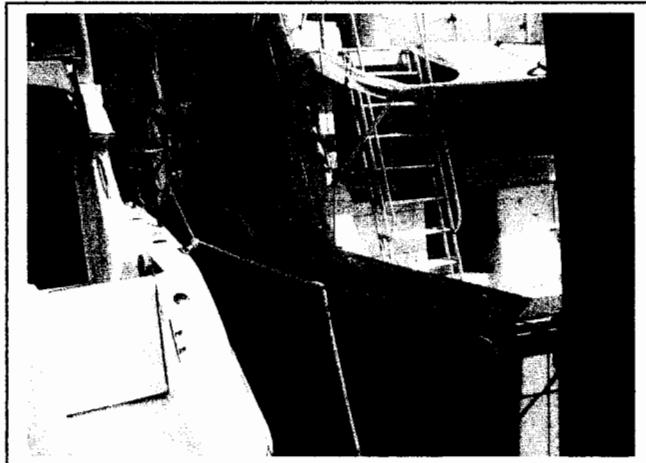
Picture Number 1
By: Dave Young
LOCATION AND VIEW
Stern profile of vessel



Picture Number 2
By: Dave Young
LOCATION AND VIEW
Starboard side profile of vessel

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



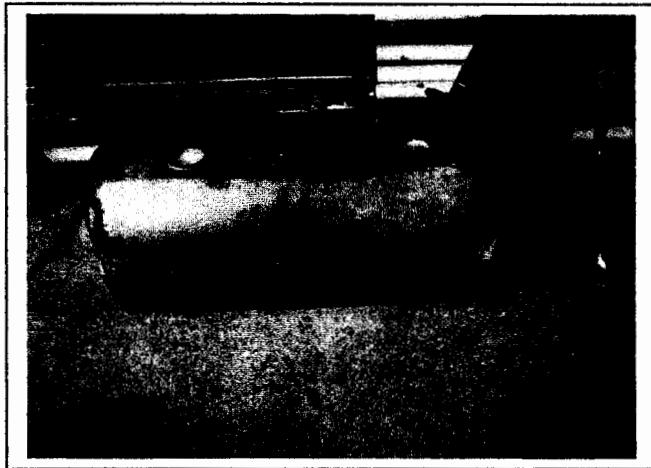
Picture Number 3
By: Dave Young
LOCATION AND VIEW
Port side profile of vessel



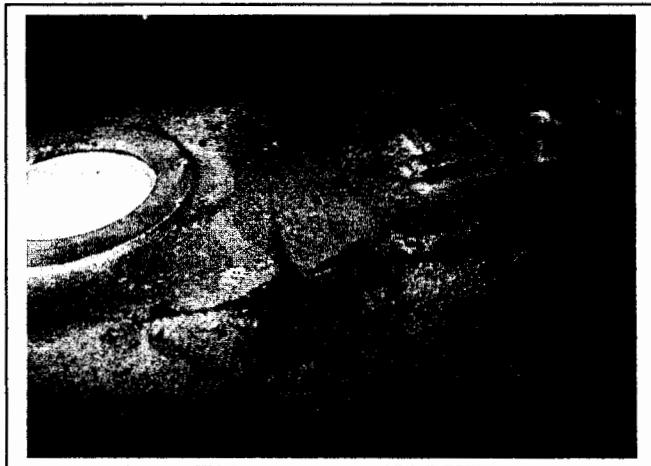
Picture Number 4
By: Dave Young
LOCATION AND VIEW
Hull ID number

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



Picture Number 5
By: Dave Young
LOCATION AND VIEW
#1 Exhaust manifold

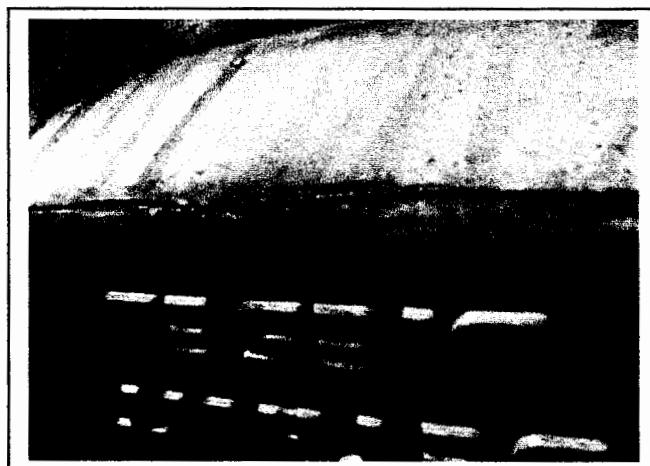


Picture Number 6
By: Dave Young
LOCATION AND VIEW
Crack through #1 exhaust manifold casting

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967

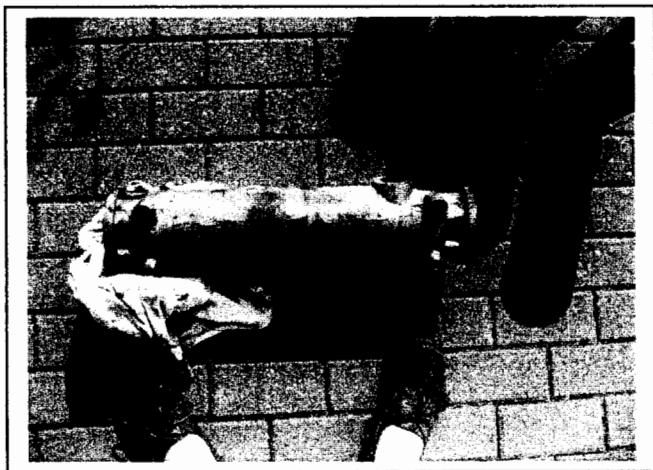


Picture Number 7
By: Dave Young
LOCATION AND VIEW
#2 Exhaust manifold



Picture Number 8
By: Dave Young
LOCATION AND VIEW
Crack through #2 exhaust manifold casting

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



Picture Number 9

By: Dave Young

LOCATION AND VIEW

Exhaust cross over manifold pipe



Picture Number 10

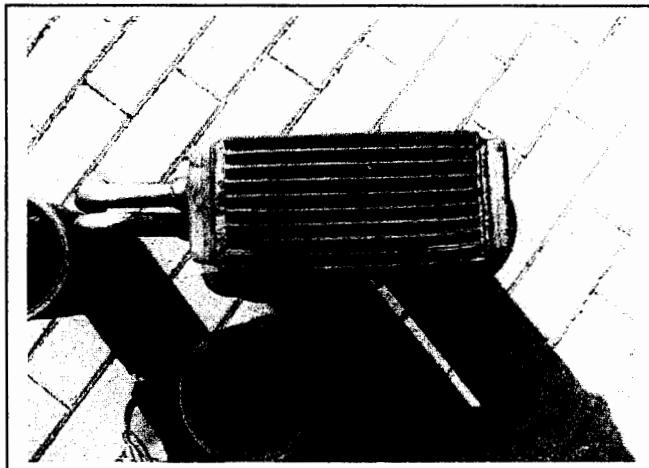
By: Dave Young

LOCATION AND VIEW

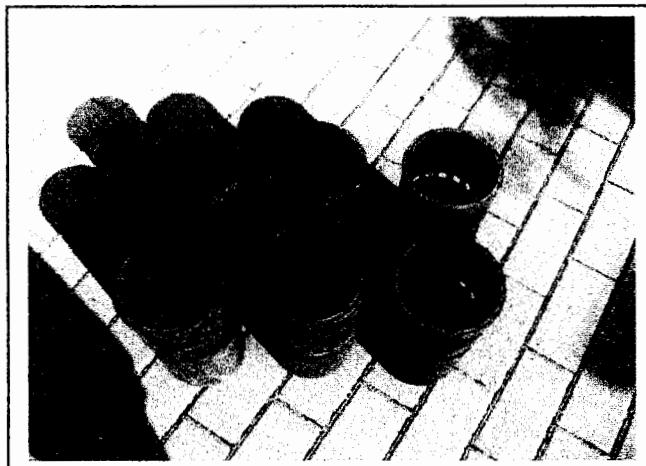
Crack through casting in cross over pipe

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



Picture Number 11
By: Dave Young
LOCATION AND VIEW
Intercooler



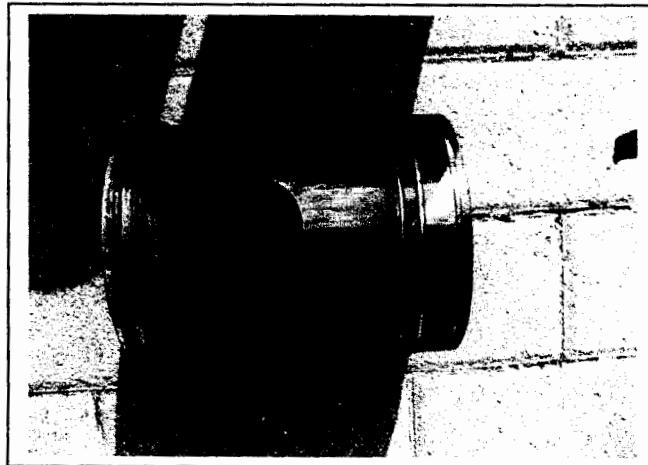
Picture Number 12
By: Dave Young
LOCATION AND VIEW
Cylinder liners

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



Picture Number 13
By: Dave Young
LOCATION AND VIEW
Overheat scoring on liner
interior wall



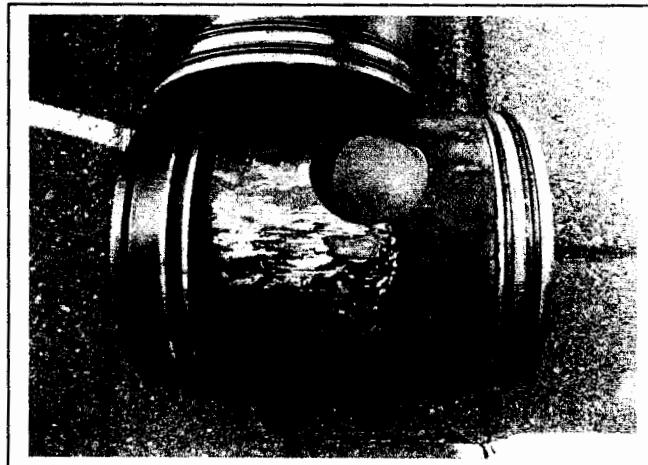
Picture Number 14
By: Dave Young
LOCATION AND VIEW
Piston - scored

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



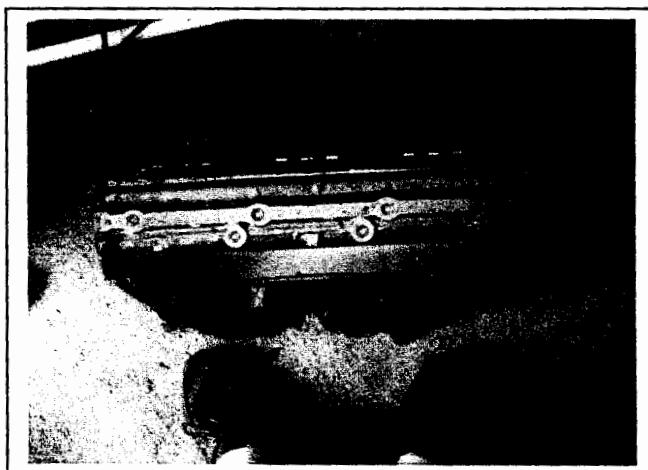
Picture Number 15
By: Dave Young
LOCATION AND VIEW
Galling on piston as result of overheating



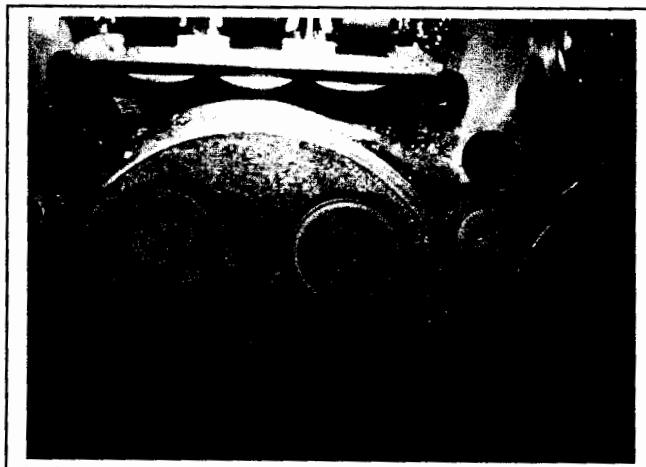
Picture Number 16
By: Dave Young
LOCATION AND VIEW
Galled piston

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



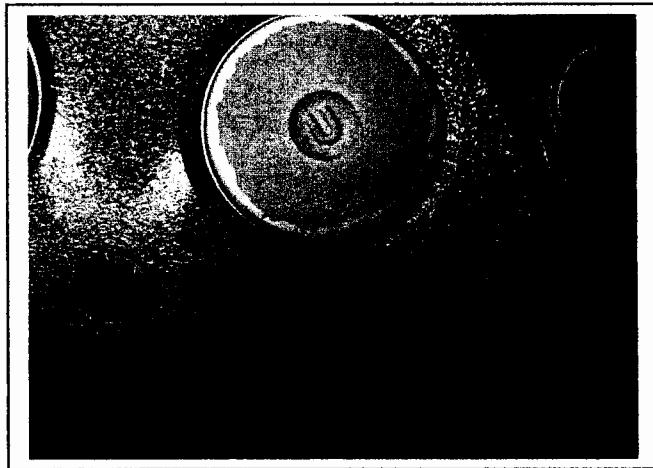
Picture Number 17
By: Dave Young
LOCATION AND VIEW
#1 Cylinder head



Picture Number 18
By: Dave Young
LOCATION AND VIEW
Crack between valves #1 head

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



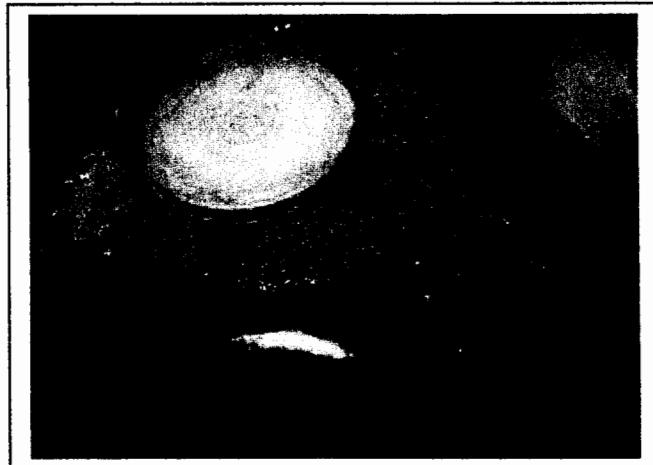
Picture Number 19
By: Dave Young
LOCATION AND VIEW
Crack between valve #1 head



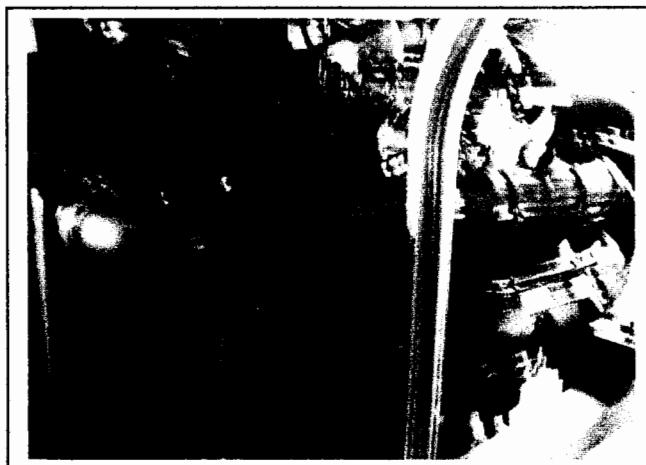
Picture Number 20
By: Dave Young
LOCATION AND VIEW
#2 cylinder head

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



Picture Number 21
By: Dave Young
LOCATION AND VIEW
Crack between valve #2 cylinder head



Picture Number 22
By: Dave Young
LOCATION AND VIEW
Rebuilt starboard engine

Dolan & Young Marine, Inc.

Insured: Sidney Friedman	Claim Number: 796 S 171402-0
Claimant:	Policy Number: YKR Y07404967



Picture Number 23

By: Dave Young

LOCATION AND VIEW

Welded starboard engine
heat exchanger tank



Picture Number 24

By: Dave Young

LOCATION AND VIEW

Inboard exhaust manifold
port engine

DATE: 8/17/07
TIME: 14:43:25

OE0219

REPAIR ORDER CUSTOMER SUMMARY

REPAIR ORDER#: R1081812

PAGE 2 0

SERVICE
***** /3 2 9N
SOLD TO: 37235

* CONTINUED * SHIP TO:

CROSSOVER PIPE AND TURBINE HOUSING UNKNOWN. ENGINE WAS OPERATED WITHOUT COOLANT. CYLINDER HEADS OVERHEATED (OVERHEAT PLUGS MELTED OUT). MOVE EXHAUST MANIFOLD OUT OF ENGINE ROOM. REMOVED LEFT BANK AIR BOX COVERS AND INSPECTED CYLINDER KITS. #2L HAD COOLANT IN IT. BAR ENGINE OVER AND CHECKED FOR BENT RODS ON LEFT BANK ONLY - RODS LOOK OK. KITS ARE TIRED.

CYLINDER HEADS GOT HOT. ENGINE WAS RAN WITHOUT COOLANT. PUMP OUT WATER AND EMULSIFIED OIL. PUMP OUT HILGE UNDER ENGINE.

7/25/07, TRAVEL TO JOBSITE. PULL LEFT BANK CYLINDER HEAD - CRACKED. SUSPECT CRACK IN EXHAUST CROSSOVER PIPE. REMOVE RIGHT BANK EXHAUST MANIFOLD AND SWEEP. MOVE CANTISTERS TO TRUCK. DISASSEMBLE RIGHT BANK HEAD DETAILS.

7/26/07, TRAVEL TO JOBSITE. REMOVE RIGHT BANK CYLINDER HEAD.

REMOVE/DTASSEMBLE AIR SEP, EXHAUST RISER, EXHAUST SWEEP, AND EXHAUST CROSSOVER PIPE. REMOVE OIL FILTER HEAD AND LINES. REMOVE OIL PAN AND SUCTION TUBE. REMOVE CYLINDER KITS. MOVE ATR PARTS TO TRUCK.

7/27/07, TRAVEL TO JOBSITE. REMOVE 3&4 REAR MAIN CAPS. CRANKSHAFT LOOKS OK. BEARINGS HAVE SLIGHT DAMAGE FROM WATER IN OIL. WIRE WHEEL BLOCK. CLEAN BLOCK AND AIR BOX WITH PUROLENE. SCRAPE SOME GASKETS. CLEAN OUT ELGE.

7/30/07, TRAVEL TO JOBSITE. BREAK DOWN.

003/006

DATE: 8/17/07
TIME: 14:43:25
OE0219

***** REPAIR ORDER CUSTOMER SUMMARY *****

REPAIR ORDER#: R1081612

PAGE 3

SERVICE * * * * * /3 2 9N
SOLD TO: 37235 SHIP TO:

SERVICE * * * * * /3 2 9N
SOLD TO: 37235

THIS PAGE

CLEAN, AND INSPECT PARTS. LEAVE CRACKED
CASTING . PACK UP FOR CUSTOMER TO HAVE .
SET UP BLOCK PRESSURE TESTING GEAR.
8 / 2 / 07 , TRAVEL TO JOBSITE. COMPLETE
PRESSURE TEST ASSEMBLY. LINERS DO NOT
HOLD WATER AT DECK COUNTERBORES . HAD TO
DRAIN AND REMOVE TEST GEAR AND OLD
LINERS AND USE NEW LINERS AND
REASSEMBLE TEST EQUIPMENT . PRESSURE
TEST 10 PSI. CHECK FOR ANY LEAKS AT
BLOCK FREEZE OUT PLUGS .

8/3/07. TRAVEL TO JOBSITE. RELIEVE INSERTS AND CHECK LINER HEIGHTS - OK.

PRESSURE TESTING FIXTURES. REMOVE LINERS AND CLEAN UP SEALING AREAS ON BLOCK. REINSTALL LINERS WITH NEW INSERTS AND CHECK LINER HEIGHTS - OK REMOVE LINERS AGAIN AND LOAD PISTONS AND INSTALL CYLINDER KITS.

AND INSTALL CYLINDER KITS. 8 / 07 , TRAVEL TO JOBSITE. INSTALL OIL VALVES, SUCTION TUBE, AND OIL. CLEAN DEBRIS OUT OF COOLING SYSTEM DRAINS. INSTALL CYLINDER HEADS, INJECTORS AND SOME HEAD DETAIL S.

SET RACKS, FUEL LINES, THERMOSTATS, EXHAUST CROSSOVER, AND TURBINE HOUSING AND RISER. REMOTE OIL LINES AND HEAD AIR BOX COVERS AND OTHER DETAILS.

REPLACE BOTH BROKEN SOLENOIDS (STOP AND SHOT DOWN). PICK UP USED MANIFOLDS AND INSTALL. MANIFOLD ARE OLD STYLE WITH

2017-0007 100 100 100

2004/006

DATE: 8/17/07
TIME: 14:43:25

* REPAIR ORDER CUSTOMER SUMMARY

REPAIR ORDER# : R1081812

PAGE 4

SERVICE -
 ***** /3 2 9N
 SOLD TO: 37235 * GOVERNMENT * SHIP TO:

SMALLER BIAS

ESTATE

8 / 14 / 07 - TRAVEL TO JOSSEY-BERGHEEDE

ALL ASSEMBLY. FILL WITH STRAIGHT WATER
AND PRESSURE TEST - OK. CAP NECK ON
EXPANSION TANK IS DAMAGED. ORDER NECK.
CHANGE FUEL FILTERS. PRIME AND PRESSURE
TEST FUEL SYSTEM. ADD OIL AND FILTERS.
TEST RUN. DRAIN AND FLUSH COOLING
SYSTEM. REFILL WITH NEW 50/50 POWER
COOL. INSTALL MECHANICAL GAUGE. BOAT
GAUGES READ LOW. RON AT DOCK. WITH MOST

8/15/07, TRAVEL TO JOBSITE. REPLACE FILLER NECK. ADD 4 GALLONS OF COOLANT TO PORT UNIT. PREP AND SEA TRIAL BOAT HAD A SIEZED INJECTOR AT END OF TRIAL. RETURN TO DOCK. PULLED COVERS. #3L INJECTOR SIEZED. ORDER INJECTOR ON

**NOTE: HEAT EXCHANGER END PLATE HAS
KOTTONOID GLASS

BEEN REPAIRED (WELDED) PRIOR TO OUR
DEPARTURE

**NOTE: CUSTOMER SUPPLIED EXHAUST
MANIFOLDS AND TURBO CHARGER**

PC	ITEM	NUMBER	DESCRIPTION
01	05118060	FILLER NECK	
01	09929666	PAINTSP60BLK	
01	2020PM-OR	ELEMNT S1000	
01	23501147	GASKET	
01	05117269	GASKET	*

GROUP	BINLOC	QTY ORD	QTY SHIP	QTY H/O	UNIT PRCCE	EXTENDED PRICE
055120	4019	1	1	6.99	6.99	6.99
128001	4035	2	2	11.84	23.68	23.68
000000	5002	1	1	12.20	12.20	12.20
062105	5038	1	1	4.21	4.21	4.21
041730	5043	2	2	1.54	3.08	3.08

08/17/2007 15 12 FAX

005/001

DATE: 8/17/07
TIME: 14:43:25

OE0219

REPAIR ORDER CUSTOMER SUMMARY

REPAIR ORDER#: R1081812

PAGE 5 10

SERVICE * * * * * /3 2 9N
SOLD TO: 37235

SHIP TO:

PC	ITEM NUMBER	DESCRIPTION	GROUP	BINLOC	QTY ORD	QTY SHIP	QTY B/O	UNTP PRICE	EXTENDED PRICE
01	23517076	GASKET			035307	5043	1	43.64	43.64
04	R23504270AM	CYL HEAD 6V9	012004	0260	2	2	2277.35	4554.70	
04	R5227125	INJ 7125P	021001	5016	6	6	72.15	432.90	
08	200164	CSYSCKBR1/2G	128270	0360	2	2	14.40	28.80	
09	23529483	COOLANT-5GAL	128260	WHSEFL	4	4	60.87	243.48	
10	23512734	5GAL 1240D	000000	CAGE	3	3	58.98	176.94	
14	05107176	LINER 92	016180		6	6	190.96	1145.76	
14	08928784	TUBE	035305		1	1	912.64	912.64	
14	23507231	LINER	016180	0007	6	6	212.11	1272.66	
14	23524341	CYL KIT	016182	0290	6	6	396.50	2379.00	
14	05148611	INSERT	011038	4000	6	6	8.46	50.76	
14	05117005	WASHER *	013100	4001	4	4	8.25	33.00	
14	05149565	SHELL-SET	013090	4001	4	4	22.42	89.68	
14	05149572	SHELL-SET	016100	4003	6	6	16.56	99.36	
14	06928676	SEAL RING	024020	4010	24	24	1.57	37.68	
14	23501150	GASKET	035439	4015	1	1	64.23	64.23	
14	08927270	STUD	052020	4018	4	4	1.80	7.20	
14	05118061	GSKT	055130	4019	1	1	1.27	1.27	
14	06410879	CAP	053120	4019	1	1	4.89	4.89	
14	23506591	STUD	061020	4020	12	12	2.62	31.44	
14	05199673	GASKET KIT *	012002	4029	2	2	55.64	111.28	
14	05149641	GASKET KIT	034003	4031	1	1	69.65	69.65	
14	05104018	GASKET RKR *	018455	4075	2	2	19.54	39.08	
14	23515227	GASKET EXH	061150	5038	4	4	24.33	97.32	
14	23503588	GASKET	047001	5040	1	1	15.19	15.19	
14	05117242	GASKET	041520	5043	1	1	1.65	1.65	
14	23501170	GASKET	035307	5043	2	2	24.79	49.58	
14	05104323	GSKT	033010	5044	1	1	19.68	19.68	
14	23501231	GASKET	033030	5044	2	2	13.71	27.42	
14	08923791	GSKT	011050	5046	2	2	3.11	6.22	
14	08923792	GASKET	011050	5046	2	2	1.64	3.28	
14	08924023	AFT COOLER	035436	5067	1	1	1501.54	1501.54	


ATLANTIC DETROIT DIESEL-ALLISON LLC
P.O. BOX #2030 • 19C CHAPIN ROAD
PINE BROOK, NJ 07058

www.atlanticddda.com

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 Ed, New Jersey 07644
 hone: NJ (201) 489-5800

 3025 Veterans Memorial Highway
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 hone: (201) 291-0300

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 127 Glendale Avenue
 Edison, New Jersey 08817
 Phone: (732) 287-2582

 1135 Kings Highway
 Saugerties, New York 12477
 Phone: (845) 247-6045

BILLED TO

 FRIEDMAN, SIDNEY
 4217 AUSTIN BLVD
 ISLAND PARK, NY 11558

SHIPPED TO

*SAME

Invoice

DATE INVOICED	DATE SHIPPED	PURCHASE ORDER NO.	BILL OF LADING NO.	REFERENCE NO.
8/17/07				R1081812
SERIAL NO.	MODEL NO.	CUSTOMER I.D. NO.	FREIGHT VIA	TERMS
06VF197894	80627403	SUN CLIPPE	PICKUP	COD

PART NUMBER	DESCRIPTION	ORDERED	QUANTITY BACK ORD	SHIPPED	UNIT PRICE	EXTENSION
UNIT INFORMATION -						
UNIT SERIAL#-PRIMARY:	06VF197894					
UNIT MODEL #	80627403					
OPERATING ZIP	11558	MILES/HOURS				
DELIVERED	0/00/00	APFL CODE				
EQUIP POWERED	RICKER					
EQUIP MODEL #						
EQUIP S/N #	RIX48011A393					
CUSTOMER UNIT	SUN CLIPPE					
					AUTH *	

COMPLAINT:

TWO CRACKED HEAT EXCHANGERS
 CAUSE: INADEQUATE FREEZE PROTECTION IN
 THE FRESH WATER COOLING SYSTEM -
 CRACKED EXHAUST MANIFOLDS - CRACKED
 CROSSOVER PIPE - EXPANDED AFTERCOOLER
 FROM FREEZING LIQUID.

CORRECTION:

7/23/07, TRAVEL TO JOBSITE. CHECK OVER
 UNIT. ENGINE DOES NOT HOLD WATER.
 SUSPECT BENT CONNECTING RODS. ALSO BOTH
 EXHAUST MANIFOLDS CRACKED. CONDITION OF
 CROSSOVER PIPE AND TURBINE HOUSING
 UNKNOWN. ENGINE WAS OPERATED WITHOUT
 COOLANT. CYLINDER HEADS OVERHEATED
 (OVERHEAT PLUGS MELTED OUT). MOVE
 EXHAUST MANIFOLD OUT OF ENGINE ROOM.
 REMOVED LEFT BANK AIR BOX COVERS AND
 INSPECTED CYLINDER KITS. #2L HAD
 COOLANT IN IT. BAR ENGINE OVER AND
 CHECKED FOR BENT RODS ON LEFT BANK ONLY
 - RODS LOOK OK. KITS ARE TIRED.
 CYLINDER HEADS GOT HOT. ENGINE WAS RAN
 WITHOUT COOLANT. PUMP OUT WATER AND
 EMULSIFIED OIL. PUMP OUT BILGE UNDER

CONTINUED ON THE NEXT PAGE

I HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE

ATLANTIC DETROIT DIESEL-ALLISON LLC
P.O. BOX #2030 • 19C CHAPIN ROAD
PINE BROOK, NJ 07058

CUSTOMER NO. INVOICE NO.

37235

1842592

WWW.ATLANTICDDA.COM

80 Route 17 South, P.O. Box 950
 Lodi, New Jersey 07644
 Phone: (201) 291-0300

Atlantic PowerSystems
 13 Gregg Street
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1135 Kings Highway
 Saugerties, New York 12477
 Phone: (845) 247-8045

169 Old New Brunswick Road
 Piscataway, New Jersey 08854
 Phone: (732) 752-7100

Invoice

BILLED TO

FRIEDMAN, SIDNEY
 4217 AUSTIN BLVD
 ISLAND PARK, NY 11558

SHIPPED TO

*SAME

DATE INVOICED	DATE SHIPPED	PURCHASE ORDER NO.	BILL OF LADING NO.			REFERENCE NO.	
8/17/07						R1081812	
SERIAL NO.	MODEL NO.	CUSTOMER I.D. NO.	FREIGHT VIA			TERMS	
06VF197894	80627403	SUN CLIPPER PICKUP				COD	
PART NUMBER	DESCRIPTION		ORDERED	QUANTITY BACK ORD	SHIPPED	UNIT PRICE	EXTENSION
ENGINE.							
7/25/07, TRAVEL TO JOBSITE. PULL LEFT BANK CYLINDER HEAD - CRACKED. SUSPECT CRACK IN EXHAUST CROSSOVER PIPE. REMOVE RIGHT BANK EXHAUST MANIFOLD AND SWEEP. MOVE CANISTERS TO TRUCK. DISASSEMBLE RIGHT BANK HEAD DETAILS.							
7/26/07, TRAVEL TO JOBSITE. REMOVE RIGHT BANK CYLINDER HEAD. REMOVE/DISASSEMBLE AIR SEP., EXHAUST PIPER, EXHAUST SWEEP, AND EXHAUST CROSSOVER PIPE. REMOVE OIL FILTER HEAD AND LINES. REMOVE OIL PAN AND SUCTION TUBE. REMOVE CYLINDER KITS. MOVE AIR PARTS TO TRUCK.							
7/27/07, TRAVEL TO JOBSITE. REMOVE 3&4 REAR MAIN CAPS. CRANKSHAFT LOOKS OK. BEARINGS HAVE SLIGHT DAMAGE FROM WATER IN OIL. WIRE WHEEL BLOCK. CLEAN BLOCK AND AIR BOX WITH PUROLENE. SCRAPE SOME GASKETS. CLEAN OUT BILGE.							
7/30/07, TRAVEL TO JOBSITE. BREAK DOWN, CLEAN, AND INSPECT PARTS. LEAVE CRACKED CASTING - PACK UP FOR CUSTOMER TO HAVE SET UP BLOCK PRESSURE TESTING GEAR.							
8/2/07, TRAVEL TO JOBSITE. COMPLETE PRESSURE TEST ASSEMBLY. LINERS DO NOT HOLD WATER AT DECK COUNTERBORES. HAD TO DRAIN AND REMOVE TEST GEAR AND OLD LINERS AND USE NEW LINERS AND REASSEMBLE TEST EQUIPMENT. PRESSURE TEST 10 PSI. CHECK FOR ANY LEAKS AT BLOCK FREEZE OUT PLUGS.							
8/3/07, TRAVEL TO JOBSITE. RELIEVE UNGERTO AND CHECK LINER HEIGHTS - OK. PRESSURE. DRAIN ALL WATER. REMOVE PRESSURE TESTING FIXTURES. REMOVE							

CONTINUED ON THE NEXT PAGE

ATLANTIC DETROIT DIESEL-ALLISON LLC
P.O. BOX #2030 • 19C CHAPIN ROAD
PINE BROOK, NJ 07058

37235

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2

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Piscataway, New Jersey 08854
Phone: (732) 752-7100

Invoice

BILLED TO

FRIEDMAN, SIDNEY
4217 AUSTIN BLVD
ISLAND PARK, NY 11558

SHIPPED TO

#SAME

DATE INVOICED	DATE SHIPPED	PURCHASE ORDER NO.	BILL OF LADING NO.			REFERENCE NO.	
SERIAL NO.	MODEL NO.	CUSTOMER I.D. NO.	FREIGHT VIA			TERMS	
PART NUMBER	DESCRIPTION		QUANTITY ORDERED	BACK ORD	SHIPPED	UNIT PRICE	EXTENSIO
	LINERS AND CLEAN UP SEALING AREAS ON BLOCK. REINSTALL LINERS WITH NEW INSERTS AND CHECK LINER HEIGHTS - OK. REMOVE LINERS AGAIN AND LOAD PISTONS AND INSTALL CYLINDER KITS.						
8/7/07	8/7/07. TRAVEL TO JOBSITE. INSTALL OIL VALVES, SUCTION TUBE, AND OIL. CLEAN DEBRIS OUT OF COOLING SYSTEM DRAINS. INSTALL CYLINDER HEADS, INJECTORS AND SOME HEAD DETAILS.						R1081812
	8/8/07. TRAVEL TO JOBSITE. TUNE UP AND SET RACKS, FUEL LINES, THERMOSTATS, EXHAUST CROSSOVER, AND TURBINE HOUSING AND RISER. REMOTE OIL LINES AND HEAD AIR BOX COVERS AND OTHER DETAILS.						
	8/13/07. TRAVEL TO JOBSITE. CONTINUE ASSEMBLY OF TURBO PIPES AND HOSES. REPLACE BOTH BROKEN SOLENOIDS (STOP AND SHUT DOWN). PICK UP USED MANIFOLDS AND INSTALL. MANIFOLD ARE OLD STYLE WITH SMALLER DIAMETER WATER PORTS - ADVISE. PAINT ENGINE.						
	8/14/07. TRAVEL TO JOBSITE. COMPLETE ALL ASSEMBLY. FILL WITH STRAIGHT WATER AND PRESSURE TEST - OK. CAP NECK ON EXPANSION TANK IS DAMAGED. ORDER NECK. CHANGE FUEL FILTERS. PRIME AND PRESSURE TEST FUEL SYSTEM. ADD OIL AND FILTERS. TEST RUN. DRAIN AND FLUSH COOLING SYSTEM. REFILL WITH NEW 50/50 POWER COOL. INSTALL MECHANICAL GAUGE. BOAT GAUGES READ LOW. RUN AT DOCK. HIT MOST FINAL DETAILS.						
	8/15/07. TRAVEL TO JOBSITE. REPLACE FILLER NECK. ADD 4 GALLONS OF COOLANT TO PORT UNIT. PREP AND SEA TRIAL BOAT. HAD A SIEZED INJECTOR AT END OF TRIAL.						

CONTINUED ON THE NEXT PAGE



Case 1:08-cv-04616-BSJ-AJP

PLEASE REMIT TO:

ATLANTIC DETROIT DIESEL-ALLISON LLC
P.O. BOX #2030 • 19C CHAPIN ROAD
PINE BROOK, NJ 07058

Document 13-2 Filed 07/14/2008 Page 34 of 49

CUSTOMER NO.

INVOICE NO.

37235

1842592

Invoice

2

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30 Route 17 South, P.O. Box 950 3025 Veterans Memorial Highway
dd, New Jersey 07644 Ronkonkoma, L.I., New York 11779
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1135 Kings Highway
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Phone: (845) 247-8045

169 Old New Brunswick Road
Pascataway, New Jersey 08854
Phone: (732) 752-7100

BILLED TO

FRIEDMAN, SIDNEY
4217 AUSTIN BLVD
ISLAND PARK, NY 11558

SHIPPED TO

NSAME

DATE INVOICED	DATE SHIPPED	PURCHASE ORDER NO.	BILL OF LADING NO.			REFERENCE NO.
6/17/07						R1081612
SERIAL NO.	MODEL NO.	CUSTOMER I.D. NO.	FREIGHT VIA			TERMS
08VF197894	80627403	SUN CLIPPIE PICKUP				COD
PART NUMBER	DESCRIPTION	QUANTITY ORDERED	BACK ORD	SHIPPED	UNIT PRICE	EXTENSION
05118060	FILLER NECK	1		1	6.99	6.99
08929666	PAINTSP60BLU	2	2	11.84	23.68	
2020PM-0R	ELEMNT \$1000	1	1	12.20	12.20	
23501147	GASKET	1	1	4.21	4.21	
05117269	GASKET *	2	2	1.54	3.08	
23517076	GASKET	1	1	43.64	43.64	
R23504270AM	CYL HEAD 6V9	2	2	2277.35	4554.70	
R5227125	INJ 7125P	6	6	72.15	432.90	
200164	CSYSCKBR1/2G	2	2	14.40	28.80	
23529483	COOLANT-5GAL	4	4	60.87	243.48	
23512734	5GAL 1240D	4	3	58.98	176.94	
05107176	LINER 92 @	6	6	190.96	1145.76	
08928784	TUBE	1	1	912.64	912.64	
23507231	LINER	6	6	212.11	1272.66	
23524341	CYL KIT	6	6	396.50	2379.00	
05148611	INSERT	6	6	8.46	50.76	
05117005	WASHER *	4	4	9.25	33.00	
05149565	SHELL-SET	4	4	22.42	89.68	
05149572	SHELL-SET	6	6	16.56	99.36	
08928676	SEAL RING	24	24	1.57	37.68	
23501150	GASKET	1	1	64.23	64.23	
08927270	STUD	4	4	1.80	7.20	
05118061	GSKT	2	2	1.27	1.27	
06410879	CAF	1	1	4.89	4.89	
23506591	STUD	12	12	2.62	31.44	
05199673	GASKET KIT *	2	2	55.64	111.28	
05149641	GASKET KIT	1	1	69.65	69.65	
05104018	GASKET RKR *	2	2	19.54	39.08	
23515227	GASKET EXH	4	4	24.33	97.32	

CONTINUED ON THE NEXT PAGE

FORM NO. 005

WE HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS E, 7, AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 THEREOF.

ORIGINAL INVOICE

CONTINUED ON THE NEXT PAGE

FORM NO. 005

WE HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS E, 7, AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF

ORIGINAL INVOICE



Case 1:08-cv-04315-BSJ-AJP

Document 13-2 ATLANTIC DETROIT DIESEL-ALLISON LLC
P.O. BOX #2030 • 19C CHAPIN ROAD
PINE BROOK, NJ 07058

PLEASE REMIT TO:

CUSTOMER NO.

INVOICE NO.

37235

1842592

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Piscataway, New Jersey 08854
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201/291-130033 Gregg Street (Bus Center)
Lodi, New Jersey 07644
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Edison, New Jersey 08817
Phone: (732) 287-25821135 Kings Highway
Saugerties, New York 12477
Phone: (845) 247-8045

Invoice

BILLED TO

SHIPPED TO

FRIEDMAN, SIDNEY
4217 AUSTIN BLVD
ISLAND PARK, NY 11558

*SAME

DATE INVOICED	DATE SHIPPED	PURCHASE ORDER NO.	BILL OF LADING NO.			REFERENCE NO.
8/17/07						R1081812
SERIAL NO.	MODEL NO.	CUSTOMER ID. NO.	FREIGHT VIA			TERMS
PART NUMBER	DESCRIPTION		QUANTITY			
			ORDERED	BACK ORD	SHIPPED	UNIT PRICE
23503588	GASKET		1		1	15.19
05117242	GASKET		1		1	1.65
23501170	GASKET		2		2	24.79
05104323	GSKT		1		1	19.68
23501231	GASKET		2		2	13.71
08923791	GSKT		2		2	3.11
08923792	GASKET		2		2	1.64
08924023	AFT COOLER		1		1	1501.54
C5227125	INJ ASM MUI	9600	2		2	.00
C5227125	INJ ASM MUI	9600	4		4	.00
C23504270AM	INVCOREVALUE		2		2	.00
26832	SPRAY-NINE		3		3	12.14
PLA-T18	GRAY PRIMER		1		1	13.34
05102	ELECTRONIC CLEANER		1		1	6.63
24117-01	RELAY FIG3810		2		2	44.18
P550540	FUEL CART		1		1	7.79
23530408	FILTER		2		2	20.16
24222	HOSE 1 3/8		1		1	13.00
	MISCELLANEOUS PARTS					4.00
BRIDGE TOLLS	PCV 06357					4.00
	MILEAGE / TOLLS					2000.00
	MISC SUPPLY CHARGES					700.00
	DDC FIELD LABOR					29650.22
PAID BY CHECK#:	1067	17654.48	8/17/07			
PAID BY CHECK#:	1068	10000.00	8/17/07			
PAID BY CHECK#:	1069	10000.00	8/17/07			
PAID BY CHECK#:	1071	10000.00	8/17/07			
PLEASE REMIT ALL PAYMENTS, INVOICES AND STATEMENTS TO OUR NEW CORPORATE ADDRESS P.O. CHAPIN ROAD PINE BROOK NEW JERSEY 07058 973-575-0309 EFFECTIVE DECEMBER 18, 2006						

CONTINUED ON THE NEXT PAGE

WE HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE
REQUIREMENTS OF SECTIONS 6, 7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF

ORIGINAL INVOICE



Case 1:08-cv-04515-BSJ-AJP

PLEASE REMIT TO:

ATLANTIC DETROIT DIESEL-ALLISON LLC
P.O. BOX #2030 • 19C CHAPIN ROAD
PINE BROOK, NJ 07058

CUSTOMER NO.

37235

INVOICE NO.

1842592

WWW.ATLANTICDDA.COM

17 South, P.O. Box 950
New Jersey 07644
NJ (201) 291-0300PowerSystems
ing Street
New Jersey 07644
(201) 291-03003025 Veterans Memorial Highway
Ronkonkoma, L.I., New York 11779
Phone: (631) 981-580033 Gregg Street (Bus Center)
Lodi, New Jersey 07644
Phone: (201) 587-2635 • 291-8415300 Smith Street
Middletown, CT 06457
Phone: (860) 632-0216127 Glendale Avenue
Edison, New Jersey 08817
Phone: (732) 287-2582281 Old Wolf Rd., P.O. Box 649
Latham, New York 12110
Phone: (518) 452-00001135 Kings Highway
Saugerties, New York 12477
Phone: (845) 247-8045169 Old New Brunswick Road
Piscataway, New Jersey 08854
Phone: (732) 752-7100

Invoice

BILLED TO

FRIEDMAN, SIDNEY
4217 AUSTIN BLVD
ISLAND PARK, NY 11558

*SAME

SHIPPED TO

DATE INVOICED	DATE SHIPPED	PURCHASE ORDER NO.	BILL OF LADING NO.	REFERENCE NO.		
8/17/07				R1081812		
SERIAL NO.	MODEL NO.	CUSTOMER ID NO.	FREIGHT VIA	TERMS		
5VF197894	80627403	SUN CLIPPER	PICKUP	COD		
PART NUMBER	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION		
		ORDERED	BACK ORD	SHIPPED	SUBTOTAL:	43870.64
					TAX:	3783.84
					SHIPPING:	.00
					TOTAL:	47654.48

M NO. 005

WE HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6, 7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 THEREOF.
SEE TERMS AND CONDITIONS ON REVERSE SIDE

ORIGINAL INVOICE

DHN - Dem

Atlantic*Detroit Diesel Allison*3025 Veterans Memorial Hwy.
Rensselaer, NY 11779
(631) 981-5800 Fax (631) 981-5807Name: **Sidney Friedman**

Fax #

Unit # _____
PO # _____COD
CHG **RO # 10111**
Notes:Complaint: **2 cracked heat exchangers**

Cause:

Correction:

@	ST	OR	DT
100hrs	8 1/2	Labor	28074.00
3 hours	9 1/2		
(thus far)		Parts	1154.42
		Oil	
		Other	Ref. 72

Sublet

Tolls

831mi	3 1/20	Mileage	2511.00
	100	Freight	

Subtotal **43810.44**Tax **3783.84**Total **47654.48**

MIL. I.D.: 003194000000072034001

MERCHANT #: 0002072034

VISA C/P/K/C/L/E

*****5859 00000000000000000000000000000000

SALE OF TENDER

RECORD #: 10000000000000000000000000000000

DATE: AUG 11, 07 TIME: 12:18

BATCH: 6

AUTH: 330288

AUS RESPONSE: Y

CVV2 RESPONSE: P

ADDRESS AND 5 DIGIT ZIP MATCH

TOTAL \$1260.00

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

CUSTOMER COPY

		DESCRIPTION	SERVICED	AMOUNT
2	600.00 5.00%	23501128 EXHAUST MANIFOLDS VA. SALES TAX		1,200.00T 60.00

SPECIALIZING IN COMPLETE REBUILT GM ENGINES, PARTS*SALES*SERVICE
 25% RESTOCKING FEE
 1.5% FINANCE CHARGE EFFECTIVE AFTER 30 DAYS.

Commercial Invoice

Date	Invoice #	Terms
8/11/2007	3327	Due on receipt

P.O. NO.



Invoice

Date 31 Jul 2007
 Page 1 of 1

P C Industries, LLC

1088 N. Washington
 P.O. Box 490
 Afton, WY 83110

Telephone 307-885-4724
 Facsimile 307-885-3215

Federal ID No. 83-0325342

The invoice evidenced by this invoice is subject to the terms and conditions on the front and reverse of this document

Sold To: [REDACTED] Account: [REDACTED] Shipped: [REDACTED]

Dean M. Friedman
 61 Ulster Ave.
 Atlantic Beach, NY 11509

Daniel Jensen I07212143948

P07212141921 Cash Account

Dean M. Friedman Verbal

Dean M. Friedman
 4217 Austin Blvd.
 Island Park, NY 11558

Line	Part Number	QTY	UOM	Description	Unit Price	Subtotal	Net Total
1	R23500956	1	0	1	Turbocharger, TW83 Water Cooled	83.00	\$1,425.00
2	C23500956	1	0	1	Core Turbo TW83 W/C	0.00	\$550.00
							\$1,975.00
							\$0.00

Ship on the customers UPS Account number 158011

**TO RECEIVE CORE CREDIT, REBUILDABLE CORES MUST BE RETURNED WITHIN 60 DAYS OF

P C INDUSTRIES LLC
 1088 N. WASHINGTON
 AFTON, WY 83110
 307-885-4724

XXXXXX00000000000000
 DATE 07/31/07 TIME 02:41 PM

ITEM: 001 UPC SALE 001.00
 ACCT: XXXXXXXXXXXXXXXXXX
 RESP: AUTH/TKT 000415

TOTAL: \$1,975.00

I AGREE TO PAY ABOVE TOTAL AMOUNT
 ACCORDING TO CARD ISSUER AGREEMENT
 (MERCHANT AGREEMENT IS BEING KEPT)

Total Weight (Lbs)	83.00	Freight	\$ 0.00	Non Taxable Subtotal	\$ 1,975.00
Taxable Subtotal	\$ 0.00	Sales Tax	\$ 0.00	Invoice Total	\$ 1,975.00

We cannot accept merchandise returned without our permission. A handling charge will be made on all returned merchandise.

Exhibit 2

Dolan & Young Marine, Inc.
David G. Young
Marine Surveyor
P.O. Box 568
Jamesport, NY 11947
Tel No. (631) 722-3160 Fax No. (631) 722-5760

DATE: 11-29-07
CUSTOMER: ACE Rec. Marine Claims
ATTENTION: Mike Burns
CLAIMANT: Friedman
CLAIM NUMBER: 796 S 171402-0

Travel and Inspect	9-7-07 5.0 Hrs (ded from other inspections)	425.00
	10-9-07 2.5 Hrs	212.50
Research and Compile	9.25 Hrs	786.25
Photographs	24 @ flat rate over 20	20.00 <i>NY</i>
Clerical	.5 Hr	12.50
Mileage	143 @ .48	68.64 <i>NY</i>
TOTAL:	<i>NY = 88.64</i>	<u>1,524.89</u>
	<i>NY = 1436.25</i>	

Please remit all payments to the order of:

Dolan and Young Marine, Inc.
P.O. Box 568
Jamesport, NY 11947
Tax I.D. Number: 11-3148870

Please be sure to include name of insured on form attached to check for our records.

Paid \$1524.89
11/29/07
Mike Burns

Exhibit 3

01/08/08

COMMENTS INQUIRY

APLCINQ

FILE ID : X 796 S 171402-0 INS/ACCT NAME: FRIEDMAN;SIDNEY

SUBL/SUF : * DATE ENTERED : 11/29/07 USER ID : 796-981 COMMENT NO. : 38

| INDEX LINE: CMNT-1

| PAYMENT:

| ISSUED PAYMENT TO THE SURVEYOR IN THE AMOUNT OF \$1,524.89. \$88.64 = NY,
| \$1,436.25 = NX.

| -

| ISSUED PAYMENT TO THE INSURED AND LOSS PAYEE IN THE AMOUNT OF \$40,565.45.

| ATLANTIC DETROIT DIESEL: \$47,654.48

| PC INDUSTRIES: 1,425.00

| DIESEL MARINE SERVICES: 1,260.00

| TOTAL REPAIRS: 50,339.48

| LESS DD PARTS DEPRE (29% X 11,096): - 3,217.84

| LESS SALES TAX ON ABOVE (8.625%): - 277.54

| LESS DEPRE. TURBO & MANIFOLD (29% X 2,685): - 778.65

| AGREED LOSS: 46,065.45

TO VIEW OLDER COMMENTS PRESS ENTER. TO VIEW NEWER COMMENTS PRESS PF7.

DO YOU WANT TO ENTER ANOTHER COMMENT? (Y/N): N ... PRESS ENTER.

| PF1 HELP | PF3 BACK | PF5 COMMENT INDEX | PF7 VIEW NEWER |

01/08/08

COMMENTS INQUIRY

APLCINQ

FILE ID : X 796 S 171402-0 INS/ACCT NAME: FRIEDMAN;SIDNEY

SUBL/SUF : * DATE ENTERED : 11/29/07 USER ID : 796-981 COMMENT NO. : 39

| INDEX LINE: CONTINUED

| LESS DEDUCTIBLE:

| PAYMENT:

- 5,500.00

\$40,565.45

|

|

|

|

|

|

|

|

TO VIEW OLDER COMMENTS PRESS ENTER. TO VIEW NEWER COMMENTS PRESS PF7.

DO YOU WANT TO ENTER ANOTHER COMMENT? (Y/N): N ... PRESS ENTER.

| PF1 HELP | PF3 BACK | PF5 COMMENT INDEX | PF7 VIEW NEWER |

Exhibit 4

API PAYMENT DETAILS

KIMOO

FILE ID: X796S1714020 SRCE-CD: BNP QUAL-DATE : 11/29/07
CK NUM : BN02063192 ISS/SET-DATE: 11/30/07
DOLLARS: 40,565.45 REG-DATE : 11/29/07
CLMT-NM: FRIEDMAN; SIDNEY SS-IRS # :
PMT-DT : TO: USER-ID : 796981
FOR : DAMAGES LESS DEPRECIATION AND PATIENT NO :
DEDUCTIBLE INV NO :
PAYEE : SEND TO: MAIL-CD : 00
SIDNEY FRIEDMAN AND
SUNTRUST BANK
4217 AUSTIN BLVD
ISLAND PARK NY 11558
LTR CD-A AMOUNT PYMT-CD PYMT-TP VOID/STOP
A HULL 40,565.45 3 PF

TOTAL: 40,565.45

TO VIEW NEXT CHECK DETAILS, PRESS ENTER

| PF1 HELP | PF2 CLMT INFO | PF3 RESERVE | PF4 MAIN MENU | PF5 DIARY | PF6 COMMENTS
| PF7 RECOV | PF8 PAYMENTS | PF9 COVERAGE | PF10 BULLETIN | PF11 FILE INFO

APL PAYMENT DETAILS

KIM00

FILE ID: X796S1714020 SRCE-CD: BNP QUAL-DATE : 11/29/07
CK NUM : BN02063193 ISS/SET-DATE: 11/30/07
DOLLARS: 1,524.89 REG-DATE : 11/29/07
CLMT-NM: FRIEDMAN; SIDNEY SS-IRS # : 113148870
PMT-DT : 09/07/07 TO: 11/29/07 USER-ID : 796981
FOR : DAMAGE SURVEY - FRIEDMAN PATIENT NO :

PAYEE : SEND TO: INV NO : FRIEDMAN
DOLAN & YOUNG MARINE, INC MAIL-CD : 00
PO BOX 568

JAMESPORT	NY	11947	
LTR CD-A	AMOUNT	PYMT-CD	PYMT-TP
A HULL	88.64	NY	VOID/STOP
A HULL	1,436.25	NX	

TOTAL: 1,524.89

TO VIEW NEXT CHECK DETAILS, PRESS ENTER

|PF1 HELP |PF2 CLMT INFO |PF3 RESERVE |PF4 MAIN MENU |PF5 DIARY |PF6 COMMENTS
|PF7 RECOV|PF8 PAYMENTS |PF9 COVERAGE|PF10 BULLETIN |PF11 FILE INFO

Exhibit 5

CLAIM OR SUIT AGAINST YOU: If a claim is made or suit is brought against you or a Covered person for liability that may be covered under this policy, you must immediately notify us and send us every demand, notice, summons or other legal papers received by you or your representative. We will pay the ensuing cost of the suit. We will also have the option of naming attorneys to represent you. Payments for the cost of your legal defense will be in addition to payments we make under your coverage for liability claims against you.

ASSISTANCE AND COOPERATION: Any person making a claim must:

- a. cooperate with us in the investigation, settlement or defense of any claim or suit under this policy;
- b. assist us in the enforcement of any right of contribution or indemnity against any person or organization which may be liable to any covered person;
- c. allow us to inspect and appraise all damaged property, not stolen or otherwise unrecoverable, before it is repaired or disposed of;
- d. sign a written authorization permitting us to obtain medical files and other pertinent records;
- e. submit, at our expense and as often as we reasonably require, to a physical examination by physicians we select and at the time and place we select;
- f. not assume any obligation or admit any fault or liability that you or we may be liable for without first obtaining our written consent; and
- g. not incur any expenses that we may be liable for without first obtaining our written consent; the only expenses you may incur without obtaining our written consent are those covered under Part C: Medical Payments Coverage of this policy, or as described in General Provisions In The Event Of Loss in the Protection Against Loss section.

PAYMENT OF LOSS: Unless a claim has been paid by others, we will pay for any loss covered under this policy within thirty (30) days after both the detailed sworn proof-of-loss and proof of your interest in the insured property are given to us. However, should a covered loss to your insured vessel result in a total or constructive total loss, the policy premium shall be paid in full prior to the final claim payment.

OUR RIGHT TO RECOVER:

If we make a payment under this policy and the person to or for whom payment was made recovers or has the right to recover from another for the covered loss, we will be subrogated to that right; however, our right to recover is subordinate to the insured's right to be fully compensated.

SALVAGE: If we have made payment under this policy for loss or damage, and if there is salvage or recovery as a result of that loss or damage, we have the right to recover that salvage or recovery to the extent of our payment.

SUIT AGAINST US: You may not bring a suit against us unless you have complied with all terms and conditions of this policy. In addition:

- a. with respect to any claim or loss to insured property, any suit against us must commence within one (1) year of the date of loss or damage;
- b. with respect to any other claim for loss, no suit may be brought against us until the amount of the covered person's obligation to pay has been determined by final judgments after trial or by written agreement signed by you, us and the claimant; any such legal action against us must commence within one year of the date of judgment or written agreement;
- c. no one shall have any right to join us as a party to any action against a covered person;
- d. if any time limitations of this policy are prohibited or invalid under the law, then legal action against us must commence within the shortest limitation of time permitted by such law.

OTHER INSURANCE: If any covered person has any other insurance against a property damage loss covered under this policy, we will not pay for any greater proportion of the loss than our applicable amount of insurance stated on the Declarations Page bears to the total amount of insurance covering the loss. With respect to a liability, medical payments and/or uninsured boater loss, any insurance provided by this contract shall be deemed excess over all other valid and collectible insurance.